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7 Attorneys for Defendant
ALLSTATE NORTHBROOK INDEMNITY COMPANY
8 erroneously sued as Allstate Indemnity Company

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO DIVISION
12

13 JAMES GLORIA,
14 Plaintiff,

15 v.

16 ALLSTATE INDEMNITY COMPANY,
17 a business entity; and DOES 1 through 50,
18 inclusive,
19 Defendants.

Case No. 2:22-cv-01126-WBS-CKD

**AMENDED STIPULATION TO MODIFY
SCHEDULING ORDER; ORDER**

Hon. William B. Shubb
Courtroom 5, 14th Floor

Magistrate Judge Carolyn K. Delaney
Courtroom 24, 8th Floor

1 This stipulation is hereby entered into by and between plaintiff James Gloria and defendant
2 Allstate Northbrook Indemnity Company, by and through their respective counsel.

3 Whereas, Allstate's current counsel substituted into this case in December 2022;

4 Whereas, the parties have discussed the witnesses who will need to be deposed in this case
5 and are working on scheduling depositions;

6 Whereas, the parties have met and conferred regarding the filing of cross-motions for
7 summary judgment and agree that such motions would be appropriate in this case;

8 Whereas, the parties would like to defer the time and expense of expert discovery and
9 certain fact discovery until after the Court has ruled on the cross-motions for summary judgment;

10 Whereas, the current deadline to disclose experts and produce expert reports is July 7,
11 2023;

12 Whereas, the current deadline to disclose rebuttal experts and produce rebuttal expert
13 reports is August 8, 2023;

14 Whereas, the current discovery completion date is September 8, 2023;

15 Whereas, the current deadline to file all motions, except motions for continuances,
16 temporary restraining orders, or other emergency applications, is October 24, 2023;

17 Whereas, the final pretrial conference is currently scheduled for January 16, 2024, at 1:30
18 p.m.;

19 Whereas, trial is currently scheduled for March 12, 2024 at 9:00 a.m.;

20 Whereas, the parties have met and conferred and agree that the foregoing case management
21 dates and deadlines should be continued to allow additional time to conduct the discovery needed
22 to file cross-motions for summary judgment and to set a briefing schedule for those motions such
23 that any remaining discovery (including expert discovery) can be deferred until after the Court
24 rules on the parties' cross-motions;

25 Therefore, subject to the Court's approval, the Parties, by and through their respective
26 attorneys of record, hereby stipulate to modify the Court's scheduling order (ECF No. 6) and set a
27 briefing schedule for the parties' cross-motions for summary judgment as proposed below:
28

1. The deadline to disclose experts and produce expert reports shall be continued to May 7, 2024;

2. The deadline to disclose rebuttal experts and produce rebuttal expert reports shall be continued to June 5, 2024;

3. The discovery completion date shall be continued to July 5, 2024;

4. The deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be continued to June 7, 2024;

5. The final pretrial conference shall be continued to August 12, 2024 at 1:30 p.m.;

6. The trial date shall be continued to October 8, 2024 at 9:00 a.m.;

7. The parties' cross-motions for summary judgment shall be filed on or before January 26, 2024;

8. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before February 9, 2024;

9. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before February 20, 2024; and

10. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for March 4, 2024 at 1:30 p.m.

IT IS SO STIPULATED.¹

Dated: August 14, 2023

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By

/s/ *Joseph E. Foss*

JOSEPH E. FOSS

Attorneys for Defendant

Allstate Northbrook Indemnity Company

¹ The filer certifies that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

1 Dated: August 14, 2023

2
3 By

/s/ Jonathan Amir Durham

4 JONATHAN AMIR DURHAM

Attorneys for Plaintiff

5 James Gloria

ORDER

Having considered the Stipulation and for good cause shown, IT IS HEREBY ORDERED that the Scheduling Order in this case (ECF No. 6) be modified as follows:

1. The deadline to disclose experts and produce expert reports shall be continued to May 7, 2024;

2. The deadline to disclose rebuttal experts and produce rebuttal expert reports shall be continued to June 5, 2024;

3. The discovery completion date shall be continued to July 5, 2024;

4. The deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be continued to June 7, 2024;

5. The final pretrial conference shall be continued to **August 12, 2024 at 1:30 p.m.;**

6. The trial date shall be continued to **October 8, 2024 at 9:00 a.m.;**

7. The parties' cross-motions for summary judgment shall be filed on or before January 26, 2024;

8. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before February 9, 2024;

9. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before February 20, 2024; and

10. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for **March 4, 2024 at 1:30 p.m.**

IT IS SO ORDERED.

Dated: August 17, 2023



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE